## SENATE BILL 773

A2 1lr2354

By: Senator Conway

AN ACT concerning

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(a)

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

## A BILL ENTITLED

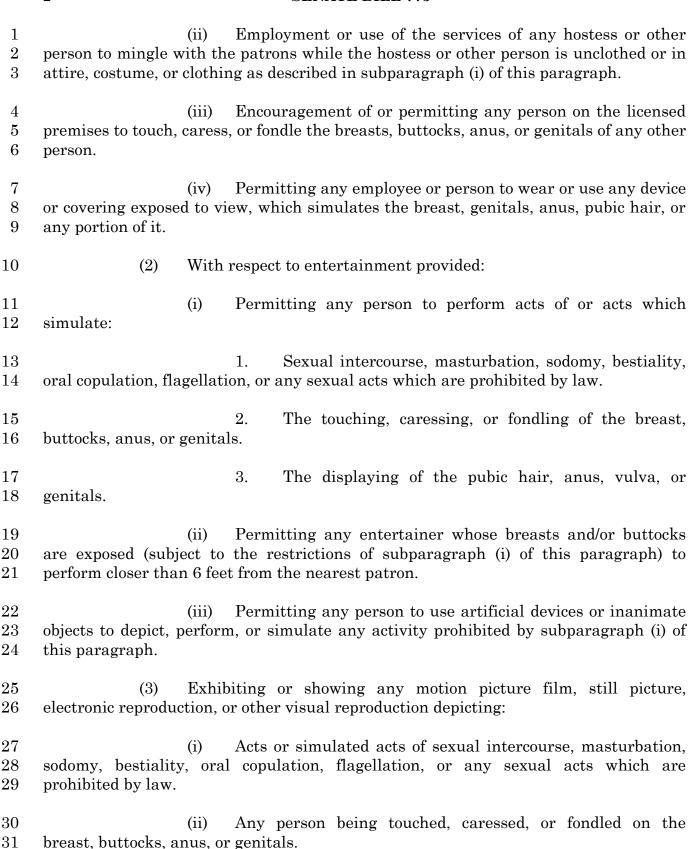
2 Baltimore City - Adult Entertainment - Age 3 FOR the purpose of requiring a certain licensee or transferee in Baltimore City that 4 offers adult entertainment to prohibit patrons under a certain age on the 5 licensed premises; and generally relating to adult entertainment in Baltimore 6 City. 7 BY repealing and reenacting, with amendments, 8 Article 2B – Alcoholic Beverages Section 12-203 9 10 Annotated Code of Maryland (2005 Replacement Volume and 2010 Supplement) 11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 12 13 MARYLAND. That the Laws of Maryland read as follows: Article 2B - Alcoholic Beverages 14 12 - 203. 15

(1) With respect to attire and conduct:

In this section, "adult entertainment" means:

(i) Employment or use of any person in the sale or service of alcoholic beverages in or upon the licensed premises while the person is unclothed or in attire, costume, or clothing so as to expose to view any portion of the female breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva, or genitals.





32 (iii) Scenes where a person displays the vulva, or anus, or the 33 genitals.

1 (iv) Scenes where artificial devices or inanimate objects are 2 employed to depict, or drawings are employed to portray, any of the prohibited 3 activities described above.

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- (b) In Baltimore City, the Board of License Commissioners may not authorize nor may the holder of any class of alcoholic beverages license permit adult entertainment on the licensed premises or on adjacent property over which the licensee has ownership or control.
- 8 (c) Upon a finding by the Board of License Commissioners that a violation of 9 this section has occurred, the Board shall impose a suspension or revocation of the 10 license, fine, or both.
- 11 (d) (1) [This] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
  12 SUBSECTION, THIS section does not apply to any licensee that offers adult
  13 entertainment as of May 31, 1993 or the transferee of the license for the same
  14 premises if the transferee continues to offer adult entertainment.
- 15 (2) A LICENSEE THAT OFFERS ADULT ENTERTAINMENT AS OF
  16 MAY 31, 1993, OR THE TRANSFEREE OF THE LICENSE FOR THE SAME PREMISES
  17 WHERE ADULT ENTERTAINMENT IS CONTINUED TO BE OFFERED MAY NOT
  18 ALLOW A PATRON UNDER 21 YEARS OLD ON THE LICENSED PREMISES.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.